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# Law Offices of Albert Wai-Kit Chan, LLC

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COMPANY : UNITED STATES PATENT AND TRADEMARK OFFICE

FAX NO. : 703-746-9195

FROM : ALBERT WAI-KIT CHAN

DOCKET : BERMUDES, ET AL., COMPOSITIONS AND METHODS  
 FOR DELIVERY OF AN AGENT USING ATTENUATED  
 SALMONELLA CONTAINING PHAGE, U.S. SERIAL  
 NO.10/790,586, FILED MARCH 1, 2004, CONTINUATION  
 OF U.S. SERIAL NO. 10/076,117, FILED FEBRUARY 13,  
 2002, WHICH IS A CONTINUATION APPLICATION OF  
 U.S. SERIAL NO. 09/645,418, FILED AUGUST 24, 2000,  
 WHICH CLAIMS PRIORITY OF U.S. PROVISIONAL  
 APPLICATION NO. 60/150,928, FILED AUGUST 26, 1999  
 - DKT. #872-A-US

TOTAL NUMBER OF PAGES, INCLUDING COVER SHEET : 10

DATE : JUNE 4, 2004

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 POSSIBLE TO (718) 357-8836.

Message

Applicants: BERMUDES, et al.  
 Client: Vion Pharmaceuticals, Inc.  
 File No.: 872-A-US  
 Date: June 4, 2004

COMMUNICATION TO CORRECT MAY 25, 2004 FILING RECEIPT, for BERMUDES, et al., COMPOSITIONS AND METHODS FOR DELIVERY OF AN AGENT USING ATTENUATED SALMONELLA CONTAINING PHAGE, U.S. Serial No. 10/790,586, Filed March 1, 2004

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Dkt. #872-A-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : BERMUDES, et al.

U.S. Serial No.: 10/790,586

Filed : March 1, 2004

For : COMPOSITIONS AND METHODS FOR DELIVERY OF  
AN AGENT USING ATTENUATED SALMONELLA  
CONTAINING PHAGELaw Offices of Albert Wai-Kit Chan, LLC  
World Plaza, Suite 604  
141-07 20<sup>th</sup> Avenue  
Whitestone, New York 11357

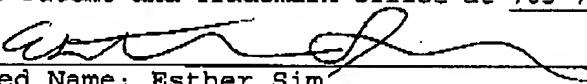
June 4, 2004

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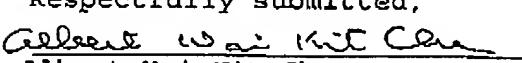
Sir:

CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8(a)  
IN CONNECTION WITH THE ABOVE-IDENTIFIED APPLICATION

I hereby certify that this Correspondence is being:

Transmitted by facsimile on the date shown above to the United  
States Patent and Trademark Office at 703-746-9195.  
Printed Name: Esther Sim

Respectfully submitted,

  
Albert Wai-Kit Chan  
Registration No. 36,479  
Attorney for Applicants  
Law Offices of  
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Dkt. #872-A-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : BERMUDES, et al.  
U.S. Serial No.: 10/790,586  
Filed : March 1, 2004  
For : COMPOSITIONS AND METHODS FOR DELIVERY OF  
AN AGENT USING ATTENUATED SALMONELLA  
CONTAINING PHAGE

Law Offices of Albert Wai-Kit Chan, LLC  
World Plaza, Suite 604  
141-07 20<sup>th</sup> Avenue  
Whitestone, New York 11357

June 4, 2004

Office of Initial Patent Examination's  
Filing Receipt Corrections  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

COMMUNICATION TO CORRECT MAY 25, 2004 FILING RECEIPT

Applicants hereby file this Communication to Correct May 25, 2004 Filing Receipt which was issued by the United States Patent and Trademark Office in connection with the above-identified application. A copy of May 25, 2004 Filing Receipt is attached as Exhibit A (2 pages). There is no deadline for filing this Communication, so this Communication is being timely filed.

The above-identified application was filed on March 1, 2004, but the Filing Date on the return postcard and Filing Receipt was listed incorrectly as March 2, 2004. As proof of the correct Filing Date, Applicants hereby submit a copy of the Express Mail Receipt with a March 1, 2004 postmark and a copy of the Shipment Details of the Express Mail shipment showing acceptance of the package on March 1, 2004, in Flushing, New York (Exhibit B, 2 pages).

Applicants : BERMUDES, et al.  
U.S. Serial No.: 10/790,586  
Filed : March 1, 2004  
Page : 2

Applicants respectfully request that the Filing Date be corrected to March 1, 2004, and that a Corrected Filing Receipt be issued to reflect this change.

If a telephone interview would be of assistance in advancing prosecution of the subject application, Applicants' undersigned attorney invites the Examiner to telephone at the number provided below.

No fee is deemed necessary in connection with the filing of this communication. However, if any additional fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 50-1891.

Respectfully submitted,

Albert Wai-Kit Chan

Albert Wai-Kit Chan  
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Attorney for Applicants  
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# EXHIBIT A

Page 1 of 2

UNITED STATES PATENT AND TRADEMARK OFFICE

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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY.DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/790,586	03/02/2004	1653	557	872-A-US	7	17	7

## CONFIRMATION NO. 9589

Albert Wai-Kit Chan  
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## FILING RECEIPT



\*OC00000001275876\*

Date Mailed: 05/25/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

David G. Bermudes, Wallingford, CT;  
 Ivan C. King, North Haven, CT;  
 Caroline A. Clairmont, Cheshire, CT;

## Domestic Priority data as claimed by applicant

This application is a CON of 10/076,117 02/13/2002 ABN  
 which is a CON of 09/645,418 08/24/2000 ABN  
 which claims benefit of 60/150,928 08/26/1999

## Foreign Applications

If Required, Foreign Filing License Granted: 05/24/2004

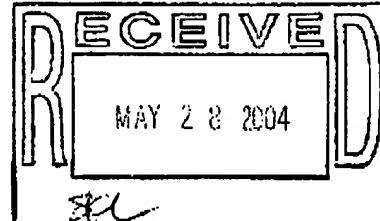
Projected Publication Date: To Be Determined - pending completion of Sequence Disclosures

Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*

Title



Compositions and methods for delivery of an agent using attenuated Salmonella containing phage

**Preliminary Class**

435

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# EXHIBIT B



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